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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,726	07/15/2003	Tetsumasa Meguro	SON-2778	7428

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EXAMINER

NGUYEN, MINH T

ART UNIT	PAPER NUMBER
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2816

DATE MAILED: 04/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/618,726	MEGURO, TETSUMASA	
	Examiner	Art Unit	
	Minh Nguyen	2816	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because it uses words which can be implied, i.e., "comprising". Correction is required. See MPEP § 608.01(b).

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

3. Claims 1, 3 and 5 are objected to because of the following informalities:

In claim 1, line 8, "enabling signals" should be changed to -- enabling signal --, see Fig. 1, also see claim 6, last line, i.e., "enabling signal",

line 16, "a plurality" should be changed to -- the plurality --, see line 6.

In claim 3, the terms “input” on lines 6 and 9 should be deleted for consistency, see line 2 of claim 1.

In claim 5, the terms “input” on lines 4 and 8 should be deleted for consistency
Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 1, the recitation on the last five lines is unclear and confusing. Specifically, the recitation the output of all the clock signals from the plurality of unit circuits are stopped as a result of stopping the first clock signal appears misdescriptive because the stopping of the first clock signal from the first unit circuit does not cause the stopping of the other unit circuits from outputting their associated clock signals. Further, the recitation on the last five lines appears true only for a clock switching circuit receiving only two clock signals whereas the claim do not appear to limit the unit circuits to two. Clarification is requested.

As per claim 3, the recited “said delay unit” on line 5 lacks antecedent basis. It appears claim 3 should depend on claim 2 instead of claim 1.

As per claim 5, “said delay unit” on line 3 lacks antecedent basis. It appears claim 5 should depend on claim 2 instead of claim 1.

As per claims 2-6, these claims are rejected because of the indefiniteness of claim 1.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5,623,223, issued to Pasqualini.

As per claim 1, Pasqualini discloses a clock switching circuit (Fig. 6) for receiving a plurality of clock signals (first: CLKA, second: CLKB, third: CLKC), comprising:

a plurality or unit circuits (601, 602, 603) receiving respectively clock signals (CLKA, CLKB, CLKC), selection signals (SELA, SELB, SELC) and enabling signal (from the output of logic gate 611) and controlling supplying and stopping of the clock signals in accordance with the selection signals and the enabling signal (the names of these signals clearly suggest the recited function, also see Fig. 7 for the operation); and

a feedback circuit (logic gate 611) for monitoring output conditions of the plurality of unit circuits (as shown, logic gate 611 receives signals NCKA, NCKB, NCKC and provide enable signal to each of the unit circuits via feedback path), the limitation recited on the last five lines is clearly explained in Fig. 7, i.e., see Note 1, when the clock switching circuit makes a switching from one clock signal to another, CLKOUT being held low to prevent glitches.

As per claim 2, Fig. 7 clearly shows the recited operation when the clock switching circuit makes a switching from one clock signal to another, i.e., when the SELA selection signal is deselected, the selection signal travels through flip-flops which are ^{1/4} clocked by the enable signal from the output of the logic gate 611 to hold the CLKOUT low for a short period of time and this is the delay time of the delay unit), the recited monitoring signals are the signals NCKA, NCKB, NCKC.

As per claim 3, the recited clock output gate unit in each of the unit circuits reads on NAND gate 607 (608 for unit circuit 602 and 609 for unit circuit 603) and since, for example, CLKA provides the controls for the NAND gates inside the unit circuit 601 to synchronize the operation, the recited limitation on the last two lines is met.

As per claim 4, the recited output circuit reads on the logic gate 610 which outputs any one of the clock signals (see Fig. 7) and the recited plurality of synchronize portions read on the flip-flop in the leftmost of each of the unit circuits, each receives the SEL select signal at the D input and provides synchronization of the selected output clock signal (CLKOUT from the logic gate 610 is an input signal to the logic gate 611 and the output of logic gate 611 is fed back to the flip-flops for performing synchronization).

As per claim 5, the recited limitations are discussed in claims 2 and 4.

Allowable Subject Matter

6. Claim 6 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claim 6 is allowable because the prior art of record fails to disclose or suggest the inclusion of a discharge portion at the output side node of the output circuit.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Nguyen whose telephone number is 571-272-1748. The examiner can normally be reached on Monday, Tuesday, Thursday, Friday 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Callahan can be reached on 571-272-1740. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



4/16/04

Minh Nguyen
Primary Examiner
Art Unit 2816